

# EXHIBIT 1E

**From:** [Alter-AI-TT@simplelists.susmangodfrey.com](mailto:Alter-AI-TT@simplelists.susmangodfrey.com) on behalf of [Levy, Max I. - MLevy at mofo.com \(via Alter-AI-TT list\)](#)  
**To:** [Rohit Nath](#)  
**Cc:** [Alter-AI-TT@simplelists.susmangodfrey.com](mailto:Alter-AI-TT@simplelists.susmangodfrey.com); [rgeman](#); [openaicopyrightlitigation.lwteam@lw.com](mailto:openaicopyrightlitigation.lwteam@lw.com); [OpenAICopyright](#)  
**Subject:** RE: [Authors Guild, Alter] Follow Up re Meet and Confer  
**Date:** Wednesday, April 17, 2024 9:56:13 PM

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**EXTERNAL Email**

Hi Rohit,

Thanks for reaching out. We are actively working on pulling together OpenAI's supplemental responses to your discovery requests and are aiming to provide them for all those that we agreed to supplement next week.

Additionally, we can confirm that we will provide proposed search terms and custodians on that same timeline, if not sooner. We will provide availability for a meet and confer regarding search terms and custodians when we provide the proposal.

Best,  
Max

**MAX LEVY**

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**From:** Rohit Nath <[RNath@susmangodfrey.com](mailto:RNath@susmangodfrey.com)>  
**Sent:** Monday, April 15, 2024 12:39 PM  
**To:** [Alter-AI-TT@simplelists.susmangodfrey.com](mailto:Alter-AI-TT@simplelists.susmangodfrey.com); [rgeman <rgeman@lchb.com>](mailto:rgeman@lchb.com); Charlotte Lepic <[CLepic@susmangodfrey.com](mailto:CLepic@susmangodfrey.com)>; [openaicopyrightlitigation.lwteam@lw.com](mailto:openaicopyrightlitigation.lwteam@lw.com); [OpenAICopyright <OpenAICopyright@mofo.com>](mailto:OpenAICopyright@mofo.com)  
**Subject:** RE: [Authors Guild, Alter] Follow Up re Meet and Confer

**External Email**

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Max, following up on the below. Please serve OpenAI's supplemental interrogatory responses this week. We are also awaiting OpenAI's final position on Interrogatory Nos. 2 and 4. We understand from Allyson's email yesterday that OpenAI has agreed to supplement its responses to Interrogatory Nos. 1 and 7 as well.

On document requests, there's a commitment to meet and confer with us on search terms and custodians with respect to a large portion of documents requests below. As we've requested several times before, please send us your proposed search terms and custodians this week so the parties can have a meaningful meet and confer on the issue and let us know

your availability to meet and confer early next week once we have had the opportunity to review OpenAI proposed keyword searches and custodian list. Thanks.

RN

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Rohit D. Nath

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**Sent:** Thursday, April 4, 2024 3:34 PM

**To:** rgeman <[rgeman@lchb.com](mailto:rgeman@lchb.com)>; 'Alter-AI-TT@simplelists.susmangodfrey.com' <[Alter-AI-TT@simplelists.susmangodfrey.com](mailto:Alter-AI-TT@simplelists.susmangodfrey.com)>; Charlotte Lepic <[CLepic@susmangodfrey.com](mailto:CLepic@susmangodfrey.com)>; [openaicopyrightlitigation.lwteam@lw.com](mailto:openaicopyrightlitigation.lwteam@lw.com); OpenAICopyright <[OpenAICopyright@mofo.com](mailto:OpenAICopyright@mofo.com)>

**Subject:** [Authors Guild, Alter] Follow Up re Meet and Confer

**EXTERNAL Email**

Counsel,

We're following up with updates on the discovery requests that have been the subject of recent meet-and-confers with Plaintiffs.

OpenAI will supplement the following discovery responses:

1. **Interrogatory Nos. 1 & 7:** We are actively investigating and anticipate that we will provide a supplement to at least part of the interrogatories within the next several weeks.
2. **Interrogatory No. 5:** We are actively investigating and will supplement the response to at least part of the interrogatory pursuant to that investigation.
3. **Interrogatory No. 6:** We are continuing to finalize the remaining notice letters and will deliver a rolling production of agreements.
4. **RFP No. 16:** OpenAI will supplement its response to RFP No. 16 as follows:
  1. Subject to the foregoing General and Specific Objections, OpenAI states that it will produce non-privileged documents in its possession, custody, or control, if any, that it locates pursuant to a reasonable and diligent search sufficient to show how, if at all, OpenAI uses retrieval augmented generation (RAG) in connection with ChatGPT.
5. **RFP No. 17:** OpenAI will supplement its response to RFP No. 17 as follows:
  1. Subject to the foregoing General and Specific Objections, OpenAI will produce non-privileged documents in its possession, custody, or control, if any, that it locates pursuant to a reasonable and diligent search sufficient to show OpenAI's understanding of how the models used for ChatGPT learn from the data used to train the model.

6. **RFP No. 21:** OpenAI will supplement its responses to state that it will meet and confer with Plaintiffs on custodians and search terms, and produce non-privileged responsive documents (to the extent we understand what Plaintiffs are actually looking for) that can be located after a reasonable search, after the entry of a protective order.
7. **RFP No. 22:** OpenAI will supplement its responses to state that it will meet and confer with Plaintiffs on custodians and search terms, and produce non-privileged responsive documents (to the extent we understand what Plaintiffs are actually looking for) that can be located after a reasonable search, after the entry of a protective order.
8. **RFP No. 23:** OpenAI will supplement its responses to state that it will meet and confer with Plaintiffs on custodians and search terms, and produce non-privileged responsive documents (to the extent we understand what Plaintiffs are actually looking for) that can be located after a reasonable search, after the entry of a protective order.
9. **RFP No. 26:** OpenAI will supplement its responses to state that it will meet and confer with Plaintiffs on custodians and search terms, and produce non-privileged responsive documents (to the extent we understand what Plaintiffs are actually looking for) that can be located after a reasonable search, after the entry of a protective order.
10. **RFP No. 27:** We are actively investigating and will supplement the response to at least part of this RFP pursuant to that investigation.

OpenAI is still investigating whether it will supplement the following discovery responses:

1. **Interrogatory No. 2**
2. **Interrogatory No. 4**

OpenAI will not supplement the following discovery responses:

1. **Interrogatory No. 3**

Best,  
Max

**MAX LEVY**

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